

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL JOHN REIF,

Plaintiff,

v.

RYAN GRAY, et al.,

Defendants.

No. 2:24-cv-01346-DC-CSK (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. Nos. 2, 4)

Plaintiff Daniel John Reif is proceeding *pro se* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 2, 2025, the assigned magistrate judge issued findings and recommendations recommending this action be dismissed because it is duplicative of *John-Reif v. Gray et al*, 2:24-cv-00968-KJM-JDP, a prior civil rights action filed by Plaintiff asserting the same claims against the same Defendants, that remains pending in this court. (Doc. No. 4.) Indeed, as the magistrate judge noted, the complaint in both actions is identical. (*Id.* at 5.) In light of the recommendation that this action be dismissed as duplicative, the magistrate judge also recommends Plaintiff's pending motion to proceed *in forma pauperis* in this action (Doc. No. 2) be denied. The pending findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 6.) To date, no objections

1 have been filed and the time in which to do so has passed.

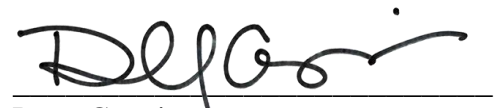
2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
3 *de novo* review of the case. Having carefully reviewed the entire file, the court finds the findings
4 and recommendations to be supported by the record and by proper analysis.

5 Accordingly,

- 6 1. The findings and recommendations issued on April 2, 2025 (Doc. No. 4) are
7 ADOPTED in full;
- 8 2. Plaintiff's motion to proceed *in forma pauperis* (Doc. No. 2) is DENIED;
- 9 3. This action is DISMISSED because it is duplicative of *John-Reif v. Gray et al*,
10 2:24-cv-00968-KJM-JDP, a prior action filed by Plaintiff that remains pending in
11 this court; and
- 12 4. The Clerk of the Court is directed to close this case.

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14
15 IT IS SO ORDERED.

16 Dated: April 22, 2025


Dena Coggins
United States District Judge